

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**STIPULATION AND ~~[PROPOSED]~~
ORDER FOR CHANGE OF VENUE**

Defendants.

1 WHEREAS on December 8, 2005, Plaintiff filed a class action complaint in the above
2 entitled action;

3 WHEREAS Defendant Sony BMG Music Entertainment, Defendant Sony Corporation of
4 America, and Defendant Bertelsmann Inc., have their headquarters in New York, New York;

5 WHEREAS Plaintiffs served the Complaint on all Defendants and filed with this Court
6 proofs of service for all Defendants;

7 WHEREAS at the time of filing of this stipulation, Defendant Sony Corporation of
8 America and Defendant Bertelsmann, Inc., have not responded to the Complaint; and

9 WHEREAS there is a pending consolidated action, related to the present action, in the
10 Southern District of New York, entitled *In re Sony BMG CD Technologies Litigation*, Case No.
11 1:05-cv-09575-NRB.

12 NOW THEREFORE, subject to the Court's approval, the parties, by and through their
13 undersigned counsel of record, hereby agree and stipulate to the following:

14 I. In the interests of the prompt administration of justice as a formal case
15 management structure is presently in place before the Honorable Naomi Reice Buchwald in the
16 Southern District of New York, the above entitled action shall be transferred to the Southern
17 District of New York.

1 IT IS SO STIPULATED.

2 DATED: 1/3/06

3 GREEN WELLING LLP

4
5 By: Robert S. Green
6 Robert S. Green

7 Jenelle Welling
8 Avin P. Sharma
9 595 Market Street, Suite 2750
10 San Francisco, CA 94105
11 Telephone: (415) 477-6700
12 Facsimile: (415) 477-6710

13 Attorney for Plaintiff

14 DATED: January 3, 2006

DEBEVOISE & PLIMPTON LLP

15 By: Jeffrey S. Jacobson
16 Jeffrey S. Jacobson

17 919 Third Avenue
18 New York, New York 10022
19 Telephone: (212) 909-6000
20 Facsimile: (212) 909-6836

21 Attorney for Defendant Sony BMG Music
22 Entertainment

23 [PROPOSED] ORDER

24 Upon stipulation and good cause appearing,

- 25 1. The above entitled case shall be transferred to the Southern District of New York;
26 and
27 2. The Clerk of this Court shall transmit all papers and pleadings on file in this
28 action to the Clerk of the United States District Court for the Southern District of
New York.

IT IS SO ORDERED.

January 6, 2006

